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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

10 U.A. LOCAL 342 JOINT LABOR-
11 MANAGEMENT COMMITTEE; et al.,

12 Plaintiffs,

13 v.

14 RAMCON COMPANY, INC., a California
15 Corporation,

16 Defendant.

CASE NO.: C-07-0908 SI

**STIPULATION FOR CONTINGENT
ORDER OF DISMISSAL & [Proposed]
CONTINGENT ORDER OF DISMISSAL**

Date:

Time:

Judge: Hon. Susan Illston

Courtroom: 10

Location: 19th Floor,
450 Golden Gate Ave.
San Francisco, CA 94102

Complaint Filed: 02/13/07

Trial Date: None set.

The parties hereto stipulate as follows:

1. The parties have reached agreement to settle this case under the terms and conditions specified in the Settlement Agreement, filed and/or lodged concurrently herewith.
2. The settlement involves payment of consideration in payments over time.
3. If the settlement payments are not made in a timely fashion or if the Settlement Agreement is otherwise breached, Plaintiffs can file a Stipulation for Entry of Judgment attached to the Settlement Agreement as Exhibit "A". The Court shall then Order the Entry of Judgment. Plaintiffs have agreed not to file the Stipulation for Entry of Judgment if the Settlement Agreement is complied with in full.
4. The parties agree that the matter can be dismissed by that Plaintiffs may reopen the matter at any time prior to December 31, 2009, if Plaintiffs certify to the Court that the consideration has not been paid or other terms and conditions of the Settlement Agreement have not been complied with. At that time, Plaintiffs may file their Stipulation for Entry of Judgment.

IT IS SO STIPULATED.

Dated: 9/5/2007

Respectfully Submitted,

NEYHART, ANDERSON, FLYNN & GROSBOLL

By: [Signature]
SCOTT M. DeNARDO
Attorney for Plaintiffs

Dated: _____

RAMCON COMPANY, INC.

By: _____
MIKE SMITH

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SCOTT M. DeNARDO

Attorney for Plaintiffs

Dated: _____

RAMCON COMPANY, INC.

By: [Signature]

MIKE SMITH

1 [PROPOSED] ORDER:

2 The parties hereto, having advised the Court that they have agreed to a settlement of this
3 action.

4 IT IS HEREBY ORDERED that this action is dismissed with prejudice, provided,
5 however, that if any party hereto shall certify to this Court, with proof of service of copy thereon
6 on the Defendant or its counsel, on or before December 31, 2009 that the agreed consideration for
7 the settlement has not been delivered over, the foregoing Order shall be vacated by this Court and this
8 action shall forthwith be restored to the calendar. Plaintiffs may then file the Stipulation for Entry
9 of Judgment referred to in the above stipulation. Judgment will then be entered forthwith.

10 IT IS SO ORDERED.

11 Dated: 10/15/07



12 U.S. District Court Judge